REMARKS

Filed concurrently herewith is a Request for a Two-Month Extension of Time which extends the shortened statutory period for response to February 21, 2006. Accordingly, Applicants respectfully submit that this response is being timely filed.

The Official Action dated September 21, 2005 has been received and its contents carefully noted. In view thereof, claims 39 and 52 have been amended in order to better define that which Applicants regard as the invention. As previously, claims 39, 40, 42-56, 59-61, 70 and 71 are presently pending in the instant application.

Initially, Applicants wish to acknowledge with appreciate, the Examiner's thorough review of Applicants' response filed June 29, 2005. Further, Applicants note the detailed discussions set forth on pages 2-4 of the Official Action. The Examiner's discussion will be addressed hereinbelow with respect to the rejection of the several claims.

With reference now to section 2 of the Office Action, claim 52 has been objected to as including minor informalities. Particularly, the Examiner notes that claim 52 is currently dependent upon canceled claim 41. In this regard, as can be seen from the foregoing amendments, claim 52 has been amended to properly depend from dependent claim 42 which ultimately depends from independent claim 40. Accordingly, it is respectfully submitted that Applicant's claimed invention as set forth in claim 52 is now in proper formal condition for allowance.

As to claim 39, the Examiner notes minor informalities set forth therein. As can be seen from the foregoing amendments, independent claim 39 has been amended with the Examiner's noted informalities taken into consideration. Accordingly, it is respectfully submitted that independent claim 39 is now in proper formal condition for allowance.

With reference now to section 4 of the Office Action, claims 39, 40, 48-50, 52, 54-56, 70 and 71 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,237,146 issued to Richards, et al. This rejection is respectfully traversed in that the patent to Richards, et al. neither discloses nor suggests that which is presently set forth by Applicants' claimed invention.

With respect to Applicants' claimed invention, the present invention as set forth in the several independent claims relates to a system which comprises three units, particularly, a broadcasting section, television receivers and the response information receiving equipment. In accordance with each of these devices, an improvement in delayed transmission between each television receiver and the response information receiving equipment is achieved. Specifically, the broadcasting station transmits the data through broadcasting to the television receivers, and each television receiver transmits the response information to the response information receiving equipment by way of a communication line which is different from the broadcasting line. On the other hand, as discussed previously, Richards et al. relates only to delay transmission between the AMI and the DVHT. With reference to the attached Fig. 1, the present invention relates to a system which includes two different communication paths as illustrated therein. The first communication path connects between the broadcasting station and each television receiver. The broadcasting station transmits data to the receivers through the first path irrespective of receiving the data by each receiver. Processing of a delay transmission is not possible and moreover is unnecessary between the broadcasting station and the receivers in that the broadcasting station unilaterally broadcast the data through the first path. The second path is a communication line between each television receiver and the response information receiving equipment. The communication line can transmit the data insofar as interactive acknowledgement is made. Accordingly, with the

present invention, the broadcasting station transmits the information to the television receivers through the first path for controlling the delayed transmission used in the second path. This is clearly not the case with Richards et al.

Particularly, Richards et al. only has a communication path between AMI and the DVHT as noted in the attached Fig. 2. Richards et al. transmits interactively between the AMI and DVHT. Since the AMI needs to communicate with the DVHTs, the delayed transmission between the AMI and each DVHT is indispensable and unavoidable.

Furthermore, as the Examiner can readily appreciate, the present invention includes a significantly different way of calculating transmission scheduling time for the transmission of the second transmission and onwards. That is, a feature of the present invention is that the television receivers receive determining data for determining initial transmission scheduling time and retrial information containing a retrial period transmitted by the broadcasting station as well as performing the process of:

1. transmitting the response information when the initial transmission scheduling time comes;
2. when no communications are established between the television receivers and the response information receiving equipment, adding the retrial period to the initial transmission scheduling time to calculate retrial transmission scheduling time and retransmitting the retrial information at the calculated scheduling time;
3. when the retransmission of the retrial information has failed, calculating a subsequent retrial transmission scheduling time

by adding the retrial period to the retrial transmission scheduling time; and

4. repeating a process for transmitting the retrial information at the subsequent retrial transmission scheduling time until the retransmission of the retrial information is successful.

Accordingly, with the present invention, data for determining initial transmission scheduling time from the broadcasting station used for generating random numbers and a retrial period are transmitted at the first transmission. The television receiver which received the transmitted data calculates the initial transmission scheduling time with random numbers. In carrying out such a process, the present invention achieves the following:

1. the initial transmission scheduling time can be varied by each of the receivers even when the situation is in a one-to-many relationship such as occurs in broadcasting;
2. the response time for the second transmission and onwards are determined by adding a retrial period for the initial transmission scheduling time. Since the initial transmission scheduling time is calculated with random numbers at each receiver, the response time is varied for the second transmission and onwards;
3. it is possible to reduce processing liability for each receiver, in that each receiver does not need to calculate random numbers except for the initial transmission; and
4. it is necessary to transmit less parameters from the broadcast station. In accordance with the present invention

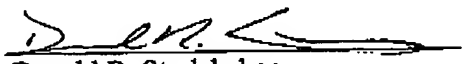
two parameters are required, the initial transmission scheduling time and the retrial.

Again, as noted previously, Richards et al. discloses that the AMI 23 calculates each transmission scheduling time, i.e., both the initial and the second and later transmission times, with random numbers. Also, Richards et al. discloses that the initial transmission scheduling time may be calculated by the DVHT (Set-Top-Box) in place of the AMI 23. Richards et al., however, does not disclose that the initial transmission scheduling time is calculated with random numbers and that the response time for the second and subsequent transmissions are calculated by adding the retrial period to the retrial transmission scheduling time as is specifically recited by Applicant's claimed invention. Accordingly, Richards et al. clearly has the disadvantage that the number of parameters to the back-off array multiplied by the number of retry times are transferred to each receiver because the random numbers must be generated by the back-off array for every transmission. Clearly, delays of this manner are not present between each television receiver and the response information receiving equipment in accordance with the present invention. Accordingly, it is respectfully submitted that Applicant's claimed invention as set forth in each of independent claims 39, 40, 54, 55, 56, 61, 70 and 71 as well as those claims which depend therefrom distinguish clearly over the teachings of Richards et al. and are in proper condition for allowance.

Therefore, it is respectfully requested that the objections and rejections of record be reconsidered and withdrawn by the Examiner, that claims 39, 40, 42-56, 59-61, 70 and 71 be allowed and that the application be passed to issue.

Should the Examiner believe a conference would be of benefit in expediting the prosecution of the instant application, he is hereby invited to telephone counsel to arrange such a conference.

Respectfully submitted,



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